



Office of the Special Representative and Co-ordinator for combating trafficking in human beings
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**Prevention of Modern Slavery: "An Ounce of Prevention is Worth a Pound of Cure"
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**THE GLOBAL CRISIS AND HUMAN TRAFFICKING: ADDRESSING THE REAL
CHALLENGES**

Abstract of presentation to OSCE Conference

- 1. Do not be simplistic about the challenges.** It is easy to say that things will deteriorate for vulnerable groups at a time of severe global economic and financial crisis. We already know that there have been sharp rises in unemployment, some mass lay-offs, and that people at the bottom end of the labour market in developing countries have been severely affected. However, this does not necessarily mean more labour trafficking. If we understand labour trafficking to be the exploitation that arises from coercive and deceptive recruiting systems, locking workers into various forms of debt bondage, in quantitative terms there could actually be less of this kind of abuse. Figures are now coming available on the sharp decline in remittances sent home by some overseas migrants, for example the Mexicans (both regular and irregular) in the United States. As regards internal movements, large numbers of Chinese workers in the southern provinces are reported to be returning to their home provinces. The Government of China has also warned its workers not to undertake temporary migration to some Central and Eastern European countries, warning of deteriorating conditions, late payment or non-payment of wages, and other aspects of exploitation in employment.
- 2. Identify the roots of the problem, and the structural challenges.** In May this year, the ILO issued the third of its global reports on forced labour over the past decade, *The Cost of Coercion*. Copies are available in several languages for the participants at this crisis. We believe it has important analysis and messages for future policy and action. First, we believe that the money actually stolen from vulnerable migrants by being in a forced labour situation rather than a free employment relationship is considerably higher than we had previously estimated in 2005. (Summarise the new figures, explain the methodology and the arguments). Second, when most countries have now criminalised the offence of trafficking for labour exploitation but there have been almost no effective prosecutions, we need to consider the implications and the remedies. Most modern forced labour in the private economy does not involve physical restraint. Rather it involves a range of actors – involved in recruitment, other visa and travel transactions, job intermediaries and end use

employers – taking advantage of loopholes in the law, or weak enforcement of criminal and labour law, to make unfair profits at the expense of vulnerable persons. There will continue to be “grey areas” of forced labour and trafficking, until there is more consensus as to what are permissible forms of behaviour, what practices should be eliminated, with what penalties, and applied by which arm of justice and law enforcement.

3. **There is a need for better operational indicators of forced labour and trafficking, in order to guide this process.** Explain the origins and purpose of the ILO/EU Delphi indicators, how they are being used for purposes of data and analysis, and how they may eventually be adapted to the needs of law enforcement, as well as training and prevention programmes, in different national contexts.
4. **Why there must be integrated approaches involving both criminal and labour justice, together with civil society actors.** Give examples of innovative practice, in which different government agencies have worked together, particularly for monitoring of employment and recruitment practices, the licensing of recruiters, joint inspections, and addressing compensation.
5. **The key role of business actors and trade unions, and multi-stakeholder approaches.** Explain why the role of business must go beyond the prevention and eradication of forced labour and trafficking in their own company activities and supply chains. How they need to address the “law and policy gaps” which are permitting new forms of exploitation to emerge in a range of different industries. Cite some of the more positive recent approaches, in Australia, Bahrain and UAE and elsewhere in the Middle East, Brazil and the United Kingdom.
6. **Response to crisis, and issues of regulation.** Conclude by drawing comparisons between the stronger approach to regulation of financial practices in response to the global economic and financial crisis; and the weaker approach to regulation and monitoring in response to a simmering crisis of equal importance on the world’s labour markets. Argue that, with a carefully thought out approach, the present crisis provides an opportunity for forward thinking, with all partners agreeing on the minimum regulations, monitoring and labour market governance, which will be essential if vulnerable women, men and children are not to be placed at greater risk of forced labour and trafficking.